

# SUPREME COURT OF ARKANSAS

No. 06-1081

KELLY FLANNERY,

APPELLANT,

VS.

ARKANSAS DEPARTMENT OF HEALTH  
AND HUMAN SERVICES,

APPELLEE,

Opinion Delivered DECEMBER 14, 2006

MOTION FOR LEAVE TO PROCEED IN  
FORMA PAUPERIS; MOTION FOR  
APPOINTMENT OF COUNSEL

MOTIONS GRANTED.

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## PER CURIAM

In *Flannery v. Arkansas Department of Health & Human Services*, \_\_\_ Ark. \_\_\_, \_\_\_ S.W.3d \_\_\_ (Nov. 9, 2006) (*per curiam*), this court granted Kelly Flannery's motion to file a belated appeal of an order terminating his parental rights.

Flannery, who is currently incarcerated in the Arkansas Department of Correction, now seeks leave to proceed *in forma pauperis* and requests this court to appoint counsel to represent him in his appeal. Attached to his motion is an affidavit setting forth that Flannery is indigent and without means to obtain private counsel.

We hold that Flannery is indigent and, therefore, appoint Maxine Isaacs to represent him in connection with this appeal. See *Linker-Flores v. Arkansas Dep't of Human Servs.*, 356 Ark. 369, 149 S.W.3d 884 (2004) (*per curiam*) (holding that an indigent parent has the right to counsel on appeal).

Motions granted.